

*Peer Review of the
Comprehensive Permit Application for*

“Surfside Crossing”
#3, 5, 7 & 9 South Shore Road Nantucket, Massachusetts

*Prepared on Behalf of the
Nantucket Land Council*

December 4, 2018

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Owner/Applicant

Surfside Crossing, LLC
c/o Jamie Feeley & Josh Posner
37 Old South Road, Unit #6
Nantucket, MA 02554

Architect

Emeritus
8 Williams Lane
Nantucket, Massachusetts 02554

Civil Engineer/Surveyor

Bracken Engineering, Inc.
19 Old South Road
Nantucket, MA 02554

Content

Comprehensive Permit Application, Definite Subdivision Plan Proposed 40b Development for Surfside Crossing, LLC; and Stormwater Report

Assessors' Reference

Map 67, Parcels 336, 336.7, 336.8 & 336.9

Zoning Districts

Limited Use General 2 (LUG-2)



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SECTION 1: INTRODUCTION

OVERVIEW

Professional Services Corporation, PC (PSC) performed this peer review of the Comprehensive Permit Application for Surfside Crossing, 3, 5, 7 and 9 South Shore Road in Nantucket, Massachusetts, on behalf of the Nantucket Land Council.

BASIS

Our peer review is based upon evaluation of plans, calculations, and documentation that includes the following:

- A. Definitive Subdivision Plan – *Proposed 40b Development in Nantucket, Massachusetts prepared for Surfside Crossing, LLC* consisting of eleven (11) 24”x36” drawings prepared by Bracken Engineering, Inc., 19 Old South Road Nantucket, MA 02554, dated February 15, 2018,
- B. Revised Definitive Subdivision Plan – *Proposed 40b Development in Nantucket, Massachusetts prepared for Surfside Crossing, LLC* consisting of five (5) 24”x36” drawings prepared by Bracken Engineering, Inc., 19 Old South Road Nantucket, MA 02554, dated October 25, 2018.
- C. *Stormwater Report – prepared for Surfside Crossing for Surfside Crossing, LLC* including project narrative, compliance with MA DEP Standards, Pipe sizing calculations, Stormceptor sizing reports, TSS removal calculations, HydroCAD Stormwater Report and supporting figures prepared by Bracken Engineering, Inc., Nantucket, MA, and dated February 15, 2018.
- D. *Comprehensive Permit Application – Surfside Crossing*, prepared by Surfside Crossing, LLC and dated April 12, 2018.

In conducting this peer review, additional information was obtained from the following:

- A. “760 CMR 56.00: Comprehensive Permit: Low or Moderate Income Housing.”
- B. Massachusetts Department of Housing & Community Development “Guidelines for Local Review of Comprehensive Permits,” October, 1999.



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- C. *The Town of Nantucket Zoning By-Law* (Section 139) as amended.
- D. *The Rules and Regulations Governing the Subdivision of Land – Nantucket Island, Massachusetts* amended December 20, 1999.
- E. *The Flood Insurance Rate Map Nantucket County, Massachusetts Panels 88 of 177, Map Number 25019C0088G*, effective date June 9, 2014.
- F. *Housing Appeals Committee: Criteria for Decisions Under M.G.L. c.40B S. 20-23, 760 CMR 31.00-31.10*
- G. *Massachusetts Department of Housing & Community Development Guidelines for Local Review of Comprehensive Permits, October, 1999.*
- H. *United States Department of Agriculture; Natural Resources Conservation Service Soil Survey of Nantucket County, Massachusetts*

PROJECT DESCRIPTION

The existing site at 3, 5, 7 and 9 South Shore Road is undisturbed wooded property consisting of approximately 13.55 acres. The site lies within the Limited Use General 2 Zoning District and the surrounding neighborhood consists of primarily one and two-story single family homes to the north and multifamily dwellings to the northwest. The project site derives access from South Shore Road to the east via two project roadways. The intersection of South Shore Road/Surfside Road and Fairgrounds Road lies to the northeast of the project. Surfside Crossing LLC (Applicant) has applied for a Comprehensive Permit pursuant to MGL Chapter 40B §§ 20-23 to subdivide the site by creating sixty (60) single-family residential units and a six-building, 96 unit condominium development. Fifteen (15) single family units and twenty-four condominium units will be marketed as affordable. The sixty single-family lots will occupy between 5,000 and 7,049 square-feet each and the condominium buildings will occupy a single 153,716 sq.-ft. parcel in the rear of the site. The project will add thirty-nine (39) affordable units to the Town's Chapter 40B Subsidized Housing Inventory.

The project will be served by a dual roadway access from South Shore Road, designated as Roads A and B, both of which are 24-foot wide with vertical concrete curb edging. Road A will be entrance-only and Road B exit only and will provide parallel on-street parking on one side each. Two 22-foot wide interior roads (Roads C and D) connect to the access drives and will provide access to the single family and condominium portions of the project, respectively. Four-foot wide bituminous sidewalks are proposed on one side of each roadway.



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The project falls within the Zone II public water supply well for the Wannacomet Water Company and lies within a MassWildlife's Natural Heritage Endangered Species Program mapped polygon (PH8) which specifies a Priority Habitat of Rare Species. The site stormwater management system will consist primarily of five subsurface retention basins for the single-family portion of the project and three rain-gardens for the condominium building area. Roofwater is to be separately recharged for all building roofs. A looped water service is proposed for the project with dual 12-inch connections and the project is intended to be sewerred, connecting to the Surfside Wastewater Treatment Facility by yet-designed means. Landscape improvements in the former design include street trees and plantings between the rear lot lines of abutting single family residences. A revised landscape design plan was not provided for the October revised layout. Telephone, electric and cable service will be extended from existing overhead service on South Shore Road.

STATUTORY MINIMA

The statutory minima provide a method to measure progress towards local affordable housing goals.

The Department of Housing and Community Development's Chapter 40B Subsidized Housing Inventory (SHI) as of September 14, 2017 states that the Town of Nantucket has 4,896 year-round housing units. There are 121 SHI Units which comprise 2.5% percent of the total year-round housing units. The proposed Surfside Crossing Project would add 39 units to the Town's Chapter 40B Subsidized Housing Inventory. This will increase the total number of SHI Units to 160 units. These 160 units would comprise 3.17 percent of the total year-round housing units.

Data regarding the General Land Area Minimum for the Town of Nantucket is not available.

Nantucket has an approved Chapter 40B Housing Production Plan, dated August 2016 and approved by the Select Board September 21, 2016 in effect.



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SECTION 2 – JURISDICTIONAL REQUIREMENTS

LIMITED DIVIDEND ORGANIZATION

The developer must be a public agency, a non-profit organization, or a limited dividend organization. A "limited dividend organization" may be any organization (a corporation, a partnership, a limited partnership, or an individual) that is willing to enter into a written regulatory agreement with a state or federal housing agency agreeing to limit its profit on the proposed development to a level prescribed by that agency.

1. As set forth in Tab 1 of the Application, Surfside Crossing, LLC is a Limited Dividend Organization established under Massachusetts General Laws for the express purpose of planning, development and operation of the development of Surfside Crossing.

PROJECT ELIGIBILITY LETTER

The Comprehensive Permit Application should include a project eligibility letter from a state or federal housing agency that states that the project has been determined eligible under a particular housing subsidy program.

2. A project eligibility/site approval letter regarding "Surfside Crossing Project Eligibility/Site Approval Masshousing #966" was issued by Massachusetts Housing Finance Agency and dated April 12, 2018.

EVIDENCE OF SITE CONTROL

The Comprehensive Permit Application should include evidence that the developer has control of the property in question through submission of a copy of the deed, purchase and sale agreement, option agreement, or similar documentation

3. Information concerning evidence of site control is provided in Tab 7 of the Application. The Applicant, Surfside Crossing, LLC, is the owner of the Project Site as shown on copy of Deed from Philip M. McLaughlin and Ellen R. Malcolm, as Trustees of the Barbara R. Malcolm Realty Trust, and Ellen R. Malcolm and Philip M. McLaughlin, as Trustees of Windom Realty Trust, to Surfside Crossing LLC, dated September 21, 2017 and recorded in the Nantucket Registry of Deeds in Book 1612, Page 62.



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SECTION 3 – EXISTING SITE AND SITE AREA

EXISTING SITE CONDITIONS PLANS

The Comprehensive Permit Application should include existing conditions plans depicting topography and vegetation, open spaces, property lines, existing buildings and structures, existing on-site utilities and infrastructure, existing public and private streets, wetlands and other resource areas and buffers.

4. Existing Site Conditions are indicated on Sheet 2 of the drawings. We recommend that supplemental information be submitted addressing the issue set forth below.
5. Individual trees along the northerly property line have been identified for use as a vegetated buffer. Trees between the project and the #1 Whereowhero Lane, and 11R South Shore Road residences should be similarly identified and marked to be preserved.

EXISTING SITE CONDITIONS REPORT

The Comprehensive Permit Application should include the abutter's list, alternative uses under existing zoning, a first level environmental assessment under Massachusetts General Laws Chapter 21E (if available); identification of any features of historic or archeological significance; identification of any significant natural resource or wildlife habitat.

6. With respect to historic or archeological resources, the applicant filed a "Project Notification Form" with the Massachusetts Historical Commission (MHC) on January 22, 2018 and the site has been identified as a potential archaeological site. In correspondence to the applicant, the MHC requested an "intensive (locational) archaeological survey" pursuant to 950 CMR 70. Although the survey has reportedly been completed, the report of the archaeological consulting firm was not available for review. As the design could require significant alteration to protect archaeological resources, this matter should be resolved prior to issuance of a comprehensive permit.
7. With respect to significant natural resources and wildlife habitat, the Natural Heritage and Endangered Species Program (NHESP) of the Massachusetts Division of Fisheries and Wildlife have a mapped polygon for Estimated Habitats of Rare Wildlife. NHESP issued a determination letter on October 19, 2018 stating that the project will result in a "take" of a species of "Special



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Concern” under 321 CMR 10.00 (Massachusetts Endangered Species Act -MESA), specifically the Coastal Heathland Cutworm. According the LEC Environmental Consultants letter of November 6, 2018, the applicant is reportedly investigating several alternatives, including off-site mitigation to qualify for and satisfy the requirements of the required MESA Conservation Management Permit (CMP). Of concern, is the denial of access allowing the Town’s consultant, the Avalon Consulting Group, to conduct an independent survey of the property. This remains an open issue.



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SECTION 4 – PROPOSED SITE DEVELOPMENT

PRELIMINARY SITE DEVELOPMENT PLANS

The Comprehensive Permit Application should include preliminary site development plans indicating all proposed structures including building footprints, roadways, driveways, parking, and drainage structures; typical drawings for each housing type; utilities and other infrastructure; changes in grading/topography, landscaping, and open space; and the subdivision of land if applicable.

GENERAL

8. The originally-submitted February 15, 2018 and reconfigured October 25, 2018 supplemental plans developed by Bracken Engineering, Inc. generally comply with the DHCD requirements for preliminary site development plans; however, the plans should address the issues set forth below.
9. Updated telephone, cable and electric utilities should be shown on the current drawings. Updated roadway profiles and water design should be provided.
10. The lighting and landscape design plan reflects the originally-submitted project configuration and should be updated.

SITE PLANNING

11. It is unclear whether the project phasing is intended to be sequential eliminating the necessity of posting security by completing construction of all infrastructure prior to issuance of the first multifamily building permit. If the infrastructure is also to be phased, a conceptual infrastructure phasing plan should be submitted to allow the Board to evaluate vital access and utility services.
12. Although provided in the original plans, streetlights are not shown on the current drawings. The location of poles, luminaries, conduits and handholes should be shown. Streetlights should be better coordinated with the Landscape Plan than in the original submission where several conflicts were noted with street trees.
13. The utility pole within the layout of the Road 'A' entrance and the pole within the layout of the Road 'B' entrance should be moved prior to issuance of occupancy permits



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14. Signage should be indicated on the drawings. It is not clear whether the project will incorporate a permanent entrance sign. Details on the size, illumination, style, and legend of any proposed entrance signs should be indicated.
15. Some areas of the site may need to be fenced and or otherwise secured for public safety during construction and vehicular access may need to be altered and controlled. A note detailing construction fencing requirements should be added to the drawings that provides flexibility to address changing requirement during construction, we recommend that the Board reserve the right to require the applicant to follow instructions from the Building Department or Inspectional Services during construction.
16. Snow storage areas should be provided in accordance with DEP guidance. Snow storage areas should be designated outside the currently proposed paved areas on adjacent grassed areas that maximize recharge. Snow storage within any detention basin or which impedes drainage should be prohibited, in compliance with the Operation and Maintenance Plan.
17. *Sedimentation and Erosion Control Plans* were not submitted. The proposed project will involve substantial earthwork. While detailed *Sedimentation and Erosion Control Plans* need not be submitted at this time, the applicant should submit a narrative describing key elements of their erosion control plan and should include general SWPPP notes in the drawing set.

ACCESS CIRCULATION AND PARKING

18. The street layout is too narrow for a project of this density. There is insufficient space for on-street parking for guests, which will create a significant emergency access issues during peak holiday periods between May and October.
19. The substandard pavement widths, project density and on-street parking will result in snow storage problems for the project.
20. An updated "Vehicle Turning Analysis" should be provided to depict ladder truck swept path demarcating access to the proposed recreation building parking area. Also verify that ladder truck access to the single family portion of the project is not impeded by on-street parking.
21. The driveways for Lots 1 and 22, adjacent to the South Shore Road entrances, conflict with the landscape islands in both locations. It will be difficult to access either driveway with only 16 feet to maneuver.



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22. Similarly, the driveways for Lots 2, 4, 5, 6, 7, 17, 18, 19, and 21 conflict with on-street parking spaces opposite each driveway.
23. If a common mailbox facility is to be required by the local postmaster, the facility along with associated parking should be shown on the site plan.
24. Stop signs and stop bars should be specified at the Road B exit to South Shore Road and also at all interior intersections
25. Stopping Sight Distance should be provided for the revised Road A intersection with South Shore Road. Intersection Sight Distance should be provided for the Road B intersection.
26. A Traffic Management Plan should be submitted that has the approval of the Nantucket Chief of Police. As a minimum the Traffic Management Plan should identify the number of truck trips, proposed truck routes, construction-stage site access, and an overall construction schedule. It is not clear whether the Police Department has reviewed the current design.
27. A bus turnout should be added to the plan to accommodate pick-up and drop-off of school-aged children.
28. Trash collection should be addressed for the project. If common trash facilities are proposed for the condominium buildings, they should be sited on the drawings and designed to ensure that trucks can adequately access each location. In the event that dumpsters are required, all dumpsters should have permanent, attractive enclosures.
29. Construction phase and permanent Transportation Demand Management Plans should be developed for the project.
30. Street signs are not indicated on the plan and should be added.

GRADING

31. Construction of the proposed site improvements will likely include reuse of onsite materials. General information on the structural reuse of onsite soil types should be provided.
32. The locus is very flat. Plan, Profile, and Utilities drawings were developed to a definitive level for the originally-configured project in February, but were not updated in the October drawings. The roadways and stormwater management system should be re-profiled and resubmitted.



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33. Walkway and parking area grades for the accessible routes must adhere to all current regulations of the Architectural Access Board (AAB). Spot grades should be provided for the parking and sidewalk areas to verify conformance.
34. Sidewalk ramps are required at all sidewalk ends
35. A detail should be provided showing the grading and width of the accessible route across driveways.

LANDSCAPING

36. A final landscape plan was provided in the originally-submitted drawing set; however no landscape design drawings have been provided for the currently-configured project. The landscape design should be submitted and should ensure that adequate screening is provided from neighboring properties. No landscaping is provided on the project perimeter.
37. The applicant should be encouraged to limit turf areas due to water demand and requirements for lawn chemicals and fertilizer. Due to the intensive development of the site that includes large grassed areas, a Turf Management plan should be provided that adequately protects groundwater from nitrate and phosphate loading.
38. Provide a planting plan for the revised project. A *Tree Protection Plan* should be provided for any remaining trees to be preserved along the perimeter of the site.

CONSTRUCTION DETAILS

39. The stormwater design from the February plans formerly utilized pre-cast circular leaching pits. The current design utilizes recharge galley systems that should be shown on a revised detail drawing.
40. The prior design utilized vertical granite curb, which is preferable over the current design that proposes vertical concrete curb. A detail should be provided.
41. Updated roadway typical cross-sections should be provided.
42. Stormceptor Water Quality units were formerly proposed for the project (STC 450i and STC 900 units). The current design appears to utilize internally chambered devices for water quality, however a detail was not provided.



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43. A 10-foot wide reinforced turf strip is proposed along the front of the project, directly over two of the five roadway stormwater management galley systems. The turf strip should be detailed and integrated with the rims of the stormwater structures. Verify the systems are H20-44 rated for vehicular loads.
44. The rain gardens should be detailed.
45. The interior boardwalk design between the condominiums should be detailed.
46. The method of connection to the South Shore Road waterline should be verified. A full 3-gate connection is recommended.
47. A landscape planting detail should be provided for coniferous trees, deciduous trees, and shrubs.

PROPOSED SITE CONDITIONS REPORT

The Comprehensive Permit Application should include a proposed site conditions narrative describing - housing program (e.g., Local Initiative Program); housing types and bedroom mix data; proposed affordable/market rate ratios; project density; ground coverage data; proposed landscaping and buffers; and MGL Chapter 21E remedial action if applicable.

48. The Application includes much of the required information. A supplemental narrative should be provided addressing revisions to project density; ground coverage data; and proposed landscaping and buffers, based upon the revised design.

PRELIMINARY ARCHITECTURAL DRAWINGS

The Comprehensive Permit Application should include preliminary architectural drawings, including typical plans and elevations for each building type.

49. The applicant has filed preliminary architectural drawings for both the proposed condominium buildings and the single family houses.
50. Information on exterior finishes and colors should be provided.



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BUILDING TABULATION

The Comprehensive Permit Application should include a tabulation of the proposed number of buildings, units, and bedrooms per building.

51. In addition to bedroom counts, the building floor plans should be evaluated to include rooms such as lofts and unfinished basements that should be counted as “bedrooms” for the purposes of determining wastewater generation.
52. The Surfside Crossing Single Family Home Information chart presented on October 3rd 2018 indicates a mix of 3-BR, 4-BR and 5-BR homes. No 5-BR are identified as affordable however all of the 3-BR homes are affordable. The project should include comparable affordable/market rate ratios for each of the house types.

UTILITIES PLAN

The Comprehensive Permit Application should include plans indicating the approximate location of utilities and other infrastructure.

WATER

53. The revised utility plan should be updated to include the water distribution system. Hydrant locations should be revised and coordinated with the Fire Department.
54. It is recommended that the connections within South Shore Road be completed with three full gate valves each.
55. Flow test data should be submitted. A letter report from a fire protection or mechanical engineer should be submitted stating that available pressure and volume of water is adequate for fire protection and general uses within the site.
56. Determine whether the Water Department will require a master meter with backflow devices. The location of the meter pit should be indicated on the drawings and coordinated to minimize tree clearance.
57. Verify pipe materials, depth of cover and minimum separation between services for water and sewer services.



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58. The applicant should confer with the Fire Department and provide documentation from the Department indicating their concurrence that the building access, water pressure and volume, alarms, and other fire protection related matters are deemed safe and acceptable. Indicate whether the condominium buildings are to be sprinklered.

WASTEWATER

59. Sewering the project is not currently feasible. The proponent currently proposes a dedicated forcemain from the project beneath the South Shore Road public way to the Surfside Wastewater Treatment Facility. This proposed work within the public way has not been designed, nor has a permanent easement been granted by the required super majority (two-thirds favorable) vote of the Town Meeting. Absent the right to construct a private utility (the sanitary forcemain) in public ways, the project as presently proposed is not feasible.
60. Additionally, the current upgrades to the Surfside Treatment Facility, based upon the 2014 Comprehensive Wastewater Management Plan, did not anticipate the 43,000 GPD wastewater flow from the site, but designed for Title V flows of 6,200 gpd based upon current zoning. Sewer connection fees should include costs for additional plant upgrades to accommodate the six-fold additional wastewater generation expected by this proposed development.
61. Conveyance to the Surfside Wastewater Treatment Facility has not been determined. According the wastewater consultant's review of the proposal, neither of the existing two forcemains that extend through the site are available for the project, one is out of service for repair/replacement (16-inch) and the second (20-inch) does not have hydraulic capacity required for addition of the project. The third (12-inch) forcemain beneath the South Shore Road bike path also has insufficient capacity to accommodate the project.

STORM WATER POLLUTION PREVENTION PLAN

62. A SWPPP has not been provided for the project.

STORMWATER MANAGEMENT

63. The stormwater recharge facilities require the following minimum separation from any building foundations including slab foundations without basements – a minimum of 10 ft. downslope and 100 ft. upslope. (Massachusetts Stormwater Handbook – Structural BMPs – Vol. 2, Ch 2, pg 88). The current design is not compliant sitewide and extensive redesign of the site plans is required to comply.



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64. Stormwater Best Management Practices including rain gardens, water quality structures and number of subsurface recharge galleys. Typically maintenance of BMP's are carried out on an ongoing basis and are funded by escrowed monies that are set aside expressly for such maintenance. An agreement should be reached with the developer regarding the funding mechanism and amount for this purpose within the HOA or Condominium documents.
65. The reconfigured project and stormwater management system should be remodeled and presented in a revised Stormwater Report. In addition to the HydroCAD analysis that should be revised, the conveyance calculations, the Water Quality Volume calculations, recharge calculations, Total Suspended Solids Removal calculations, proposed watershed mapping should be resubmitted.
66. The applicant seeks to delay submission of the required Operation and Maintenance Plan. The Pollution Prevention and Erosion and Sediment Control Plan should be submitted at this time to clarify the applicant's intent prior to Decision.
67. Compliance with Standard 10 Prohibition of Illicit Discharges should be assured by submission of a signed Illicit Discharge Statement.
68. Soils testing to date is limited and insufficient. Deep hole tests for soil textural analysis and seasonal high groundwater elevations are required for each infiltration facility in accordance with the Stormwater Handbook.
69. The stormwater report only analyses the 25-year frequency storm event. The Proposed Project must comply with state requirements and DEP requires considering of flooding under the 100-year frequency storm event.
70. A completed DEP Checklist for Stormwater Report should be included in the resubmission.

SITE LIGHTING

71. Site lighting should be updated for the reconfigured project.
72. The lighting fixture information provided does not specifically state that the proposed light fixtures are dark skies compatible. Protecting the night sky from light pollution is a critical for Nantucket which has the potential to provide low levels of light pollution given its surrounding ocean buffer. Dark skies design also minimizes impacts on habitat which is important given that the site is now undeveloped.



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73. Intersection lighting via pole mounted streetlight may be desirable at the Road A or Road B intersection with South Shore Road to aid in visibility.

CABLE UTILITIES

74. Proposed electric, cable television, telephone lines are not indicated on the revised site plan. These utilities should be shown and underground installation should be specified.



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SECTION 5 – PROJECT IMPACTS

PROJECT IMPACTS

The Comprehensive Permit Application should include identification and evaluation of project impacts on traffic (on-site circulation, entrances and exits, trip generation data, sight and stopping distance, existing and proposed levels of service); on historical, archeological, open space, wildlife habitat, or recreational resource(s); on municipal services (public safety, water supply, sewage treatment); construction impacts (noise, dust, erosion/siltation, potential releases).

75. PSC reviewed the traffic impact reports submitted for this project including the “Memorandum Regarding Proposed Surfside Crossing Residential Development 3-9 South Shore Road - Nantucket, MA” prepared by MDM Transportation Consultants, Inc. dated February 16, 2018, updated July 12, 2018 (Transportation Memorandum).
76. In Massachusetts, the MassDOT Transportation Impact Assessment TIA Guidelines (MassDOT TIA Guidelines), although developed for projects subject to MEPA review, have become the standard for preparation of transportation impact assessments for all projects in Massachusetts. The Transportation Memorandum does not comply with the MassDOT TIA Guidelines and should be revised to more fully comply in order to provide an accurate analysis of the Project’s transportation impacts. The Transportation Memorandum used a five year planning horizon for future No-Build and Future Build analysis. The MassDOT TIA Guidelines require a seven year planning horizon. The Transportation Memorandum used a 1% per year increase for five years increasing the 2018 volumes by 5.1% for the No-Build and Build conditions. Whereas a 1% per year increase for seven years should be used which would increase the 2018 volumes by 7.2% for the No-Build and Build conditions. In comparison to the MassDOT TIA Guidelines, the future No-Build and Build traffic volumes traffic impacts are understated.
77. The Transportation Memorandum was developed for the prior project alternative which divided the trips generated among three driveways and segregated trips generated by the townhouses from trips generated by the low-rise multifamily buildings. Under the prior project alternative, trips generated by the low rise multifamily buildings were restricted to the north driveway and trips generated by the townhouses was restricted to the two southerly driveways. Traffic assignment in the Transportation Memorandum should be updated for the two driveway layout.



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78. Based on the assignment of on-site trips used in the Transportation Memorandum, most trips have origins or destinations to the north of the site. Therefore most trips generated on-site should now be assigned to the north site driveway. Although the number of dwelling units has been reduced, the reduction in trip generation is moderate. Given that most trips will now be assigned to the north driveway, impacts on intersection operations at that location may be greater than the impacts evaluated in the Transportation Memorandum. Traffic assignment and operations at the site driveways should be updated.
79. The manual turning movements used in the capacity analysis were taken in June and adjusted to mid-summer conditions using data from the Cape Cod Commission. Given the unique summer traffic patterns on Nantucket, traffic volumes should have been counted in July-August not adjusted using Cape Cod data that is believed not to be representative of conditions on Nantucket.
80. Given the unique summer traffic patterns on Nantucket, Saturday traffic volumes are significant and require separate analysis. The Transportation Memorandum does not analyze Saturday peak hour traffic volumes. A 2017 analysis by the Nantucket Data Platform on persons on Nantucket including residents, seasonal residents, workers, and visitors shows that there are significant increases in weekend populations on a seasonal basis. During March, the average daily weekend population is 17,990 persons, while in August, the average daily weekend population is 45,500. A separate analysis of mid-summer weekend traffic conditions is necessary in order to properly identify the actual maximum transportation impacts of the project¹
81. The Applicant should prepare and submit for review, a detailed management plan indicating the organization and funding mechanism for a homeowners' association or other organization that will be responsible for maintaining the on-site parking, access, utilities, and landscaping and for contributing to ongoing maintenance of the wastewater pump station.
82. Construction noise impacts should be identified and evaluated. Any impacts to abutters from construction noise or vibration should be identified. Measures to minimize and mitigate these impacts should be evaluated.
83. Construction dust and erosion impacts should be identified and evaluated. Measures to minimize and mitigate these impacts should be evaluated.

¹ Making It Count, a Data-Driven Look at Nantucket's Dynamic Population, Grad Edmondson and the Nantucket Data Platform Team, 2017.



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84. Impacts to municipal services should be provided including an estimate of school-aged children in the project, impacts to emergency services and to the water and sanitary systems due to construction of the project.
85. Construction traffic impacts should be identified and evaluated. Measures to minimize and mitigate these impacts should be evaluated and should specifically address proposed construction truck routes. They should also address restricting construction truck traffic between the hours of 7:00 MA to 9:00 AM and 4:00 PM and 6:00 PM.
86. A dedicated location should be provided on the site for equipment fueling operations that is designed to minimize the potential for contamination from spills.
87. The development team should provide a rough construction schedule with anticipated milestone dates for major components of the project.



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SECTION 6 – REGULATORY

REQUIRED EXEMPTIONS

The Comprehensive Permit Application should include a list of requested exceptions to local bylaws, codes, ordinances, regulations, and fees, including the zoning bylaws and subdivision regulations.

88. The applicant provided a detailed list of required variances, waivers and exemptions to the Zoning Bylaws, Rules and Regulations, Nantucket Historic District Commission (HDC), Board of Water and Sewer Commissioners/Water Department and Sewer Department, Nantucket Code Chapters 102 (Outdoor Lighting), Chapter 127 (Streets and Sidewalks) Chapter 132 (Trees and Shrubs) Conservation Bylaw and all others rules, regulations and customary practices at the opening of the hearing.

Zoning Bylaw (Section 139)

89. The applicant requests waiver from Section 139-12 B. Overlay Districts, Section 2(q) which prohibits rendering impervious more than 15% or 2,500 square feet of any lot in a Public Wellhead Recharge District. It should be noted that the project is within a Zone II and is still subject to DEP 310 CMR 22.00, Drinking Water Regulations. 310 CMR 22.21(2)(b).7, restricts “land uses that result in the rendering impervious of more than 15% or 2,500 square feet of any lot or parcel, whichever is greater....unless a system for artificial recharge of precipitation is provided that will not result in the degradation of groundwater quality.” The final stormwater design and calculations require conformance to the DEP requirement.
90. The regularity formula should be checked for Lots 7 and 15 to determine whether an additional waiver would be required from Section 139-16 (D) for lot shape.

Rules and Regulations Governing the Subdivision of Land

91. The current design does not include electric street lighting, water, fire alarm, hydrants, telephone, electric and cable television lines. A waiver has not been requested from §2.06b(13).
92. The current design does not include roadway profiles. A waiver has not been requested from §2.06b(20).



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93. The current design does not include an erosion and airborne dust control plan. A waiver has not been requested from §2.06b(21).
94. Sidewalks are proposed to be constructed of bituminous concrete, not brick or Portland Cement Concrete as required. The waiver request for §4.18 Sidewalks should be modified.
95. Unless §4.23 is waived, additional Soils Tests will be required subject to the requirements of the Board or its Agent. Currently, the design of the project is based upon four tests for the 13.5 acres.

PERMITS

A Comprehensive Permit is required as well as state and federal permits are listed hereinafter:

96. The project will result in the disturbance of more than one acre of land, and thus will require the applicant to obtain coverage under the federal Construction General Permit (CGP). The CGP outlines a set of provisions construction operators must follow to comply with the requirements of the NPDES stormwater regulations.